

MEL/RAS
F. #2016R02114

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

STIPULATION & ORDER

- against -

21-CR-622 (LDH)

LUZ ELVIRA CARDONA,
also known as “Lucy,”
ROBERTO CESAR CID DOMINGUEZ,
CRISTIAN NOE GODINEZ,
also known as “El Chapparo”
and “Alex,”
BLANCA HERNANDEZ MORALES,
also known as “Nancy,” “Maria Elena,”
and “Malena,”
JOSE FACUNDO ZARATE MORALES,
also known as “El Guero,” and
WAYNE PEIFFER,

Defendants.

----- X

IT IS HEREBY STIPULATED AND AGREED by and between the
undersigned attorneys and ORDERED by the Court, pursuant to Federal Rule of Criminal
Procedure 16(d), that:

1. Any and all discovery material designated by the government as
“Sensitive Discovery Material” and produced to the defendants LUZ ELVIRA CARDONA,
ROBERTO CESAR CID DOMINGUEZ, BLANCA HERNANDEZ MORALES, JOSE
FACUNDO ZARATE MORALES and WAYNE PEIFFER (the “defendants”) by the
government in the above-captioned case, and any and all copies, notes, transcripts,

documents or other information derived or prepared from the Sensitive Discovery Material, may be used by the defendants and defense counsel for any purpose consistent with this Protective Order in furtherance of the representation of the defendants in connection with the above-captioned indictment;

2. Any and all Sensitive Discovery Material produced to the defendants by the government and any copies, notes, transcripts, documents or other information derived or prepared from the Sensitive Discovery Material shall not be further disseminated by the defendants or defense counsel to any individuals, organizations or other entities, other than members of the legal staff of and expert witnesses and interpreters retained by defense counsel, who shall be bound by the entirety of this Protective Order, without further order of the Court;

3. Each of the individuals to whom disclosure is authorized in paragraph 3, that is, members of the legal staff of and expert witnesses and interpreters retained by defense counsel, shall be provided a copy of this Protective Order and advised that he or she shall not further disseminate any portion of the Sensitive Discovery Material or any copies, notes, transcripts, documents or other information derived or prepared from the Sensitive Discovery Material except in conformity with this Protective Order;

4. The defendants may review the Sensitive Discovery Material only in the presence of defense counsel or defense counsel's legal staff. The defendants are prohibited from having possession, custody or control of the Sensitive Discovery Material, except to the extent necessary for the defendants to review the Sensitive Discovery Material in the presence of defense counsel or defense counsel's staff. The defendants are further prohibited from disseminating any Sensitive Discovery Material, and may not take Sensitive

Discovery Material, or copies thereof, into any jail facility outside the presence of defense counsel or defense counsel's legal staff, possess Sensitive Discovery Material or copies in any such facility outside the presence of defense counsel or defense counsel's legal staff, or provide information from Sensitive Discovery Material to others.

5. Where the defendants and/or defense counsel wishes to disclose any portion of the Sensitive Discovery Material or any copies, notes, transcripts, documents or other information derived or prepared from the Sensitive Discovery Material to any individual to whom disclosure is not authorized by paragraph 3, defense counsel must provide advance notice to the government and make an application to the Court for authorization to make such disclosure, and such notice must be given sufficiently in advance of the contemplated application so as to permit briefing and argument on the propriety of such disclosure;

6. None of the Sensitive Discovery Materials nor any copies, notes, transcripts, documents or other information derived or prepared from the Sensitive Discovery Material shall be disseminated to, or discussed with, the media in any form. Nothing in this Protective Order prohibits the media from obtaining copies of any items that become public exhibits at any conference, hearing, trial or other proceeding; where the defendants and/or defense counsel wishes to attach any portion of the Sensitive Discovery Material to public filings made with the Court, defense counsel must provide advance notice to the government and make an application to the Court for authorization to make such disclosure, and such notice must be given sufficiently in advance of the contemplated application so as to permit briefing and argument on the propriety of such disclosure;

7. Nothing in this Stipulation and Order shall preclude any party from seeking (a) a further protective order pursuant to Rule 16(d) as to particular items of discovery material, or (b) modification of this Protective Order by a judge of competent jurisdiction;

8. If a defendant obtains substitute counsel, the undersigned defense counsel will not transfer any portion of the discovery material or any copies, notes, transcripts, documents or other information derived or prepared from the discovery material unless and until substitute counsel enters into this Stipulation and Order. Nothing in this Stipulation and Protective Order prevents counsel from discussing Sensitive Discovery Material with counsel for other defendants named in the Indictment or any Superseding Indictment who are also bound by this or similar Stipulation and Protective Order;

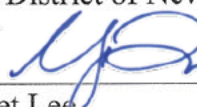
9. The defendants and defense counsel will destroy or return to the government any Sensitive Discovery Material and all copies thereof, whether in the possession of defense counsel or members of the legal staff of and expert witnesses and linguists retained by defense counsel who have signed this Stipulation and Order, at the conclusion of any trial of the defendants and any direct appeal in this matter; and

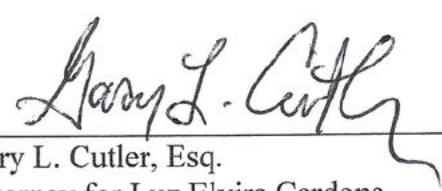
10. Any violation of this Stipulation and Order (a) will require the immediate destruction or return to the United States of the discovery material and all copies thereof, and (b) may result in contempt of Court.


Dated: Brooklyn, New York
January 6, 2022


BREON PEACE
United States Attorney
Eastern District of New York


By:



Margaret Lee
Rachel A. Shanies
Assistant U.S. Attorneys
(718) 254-7000


Gary L. Cutler, Esq.
Attorney for Luz Elvira Cardona


Susan J. Walsh, Esq.
Attorney for Roberto Cesar Cid Dominguez


Thomas F.X. Dunn, Esq.
Attorney for Blanca Hernandez Morales


Michael Gold, Esq.
Attorney for Jose Facundo Zarate Morales


Susan Kellman, Esq.
Attorney for Wayne Peiffer

SO ORDERED
this ____ day of _____, 20__

THE HONORABLE LASHANN DEARCY HALL
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK

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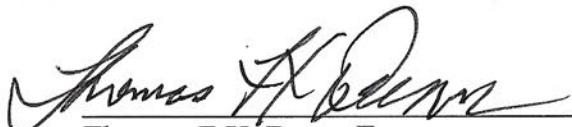
Dated: Brooklyn, New York
_____, 2021

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1/3/2022, 2021

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